IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 3314 of 2007(T)

PETITIONER:

TAGORE.S.R., SANKARA MANDIRUM,
ULIYACOVIL P.O., KOLLAM.

BY ADV. SRI.ALEXANDER GEORGE
SRI.DILIP MOHAN

RESPONDENTS:
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1. BELL LEASING AND HIRE PURCHASE LTD.,
DOOR NO.40/9715 IST FLOOR, BHAGHEERATHA
SANTHWANA, CHITTOOR ROAD, ERNAKULAM,
COCHIN-18.

2. STATION HOUSE OFFICER,
KOLLAM EAST POLICE STATION, KOLLAM.

BY ADV. SRI.S.R.DAYANANDA PRABHU FOR R1
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).3314/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE NOTICE DATED 14.8.2006 ISSUED BY THE 1ST RESPONDENT.

EXT.P2: COPY OF THE PETITION FILED BEFORE THE 2ND RESPONDENT DATED 22.1.2007.

RESPONDENT'S EXHIBITS:

EXT.R1(A): COPY OF HIRE PURCHASE AGREEMENT DATED 20.12.2005 EXECUTED BY THE PETITIONER.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.3314 OF 2007 (T)

Dated this the 27th day of February, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection. Petitioner purchased lorry on hire purchase scheme. It is the case of the petitioner that financiers are taking steps to repossess the vehicle and therefore wants police protection. According to contesting respondents, petitioner paid only one instalment. If there are defaults, financier is entitled to repossess the vehicle according to law. We are not going into the merits of the case in the petition filed under Article 226 of the Constitution of India. This writ petition is disposed of with the only direction that repossession of the vehicle should be done only as per the provisions of law.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007